## SIMON & KOERNER LLP

ATTORNEYS AT LAW

10052 Pasadena Avenue, Suite B, Cupertino, CA 95014 Telephone (408) 873-3941, Facsimile (408) 873-3945

## **FACSIMILE COVER SHEET**

To:

United States Patent and Trademark Office Attn: Examiner D. Petkovsek in Art Unit 2874

Fax Number:

703-872-9306

From:

Nancy R. Simon (408) 873-3941

Phone Number: Fax Number:

(408) 873-3945

RECEIVED
CENTRAL FAX CENTER

NOV 1 2 2004

Date:

November 12, 2004

Total pages:

<u>12</u> (includes cover sheet)

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

Message: RE: U.S. Patent Application 09/965,537

An Amendment (10 pages) and a Transmittal Form (1 page) for the aboveidentified patent application are attached for your consideration. If you have any questions, please do not hesitate to contact me.

Sincerely,

Nancy R. Simon

PTO/SB/21 (03-03)
Approved for use through 04/30/2003, OMB 0651-0031
U.S. Patent and Trademerk Office; U.S. DEPARTMENT OF COMMERCE Under the Penerwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/965,537 TRANSMITTAL Filing Date September 26, 2001 FORM First Named Inventor Lacey, Jonathan Art Unit 2874 (to be used for all correspondence after initial filing) **Examiner Name** Petkovsek, D. J. Attorney Docket Number 10004238-1 12 Total Number of Pages in This Submission

		ENCEOSORES (Check air that apply)
	Fee Transmittal Form	Drawing(s)  After Allowance Communication to a Technology Center (TC)  Appeal Communication to Board
	Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement	Licensing-related Papers  Petition  Petition to Convert to a Provisional Application  Power of Attorney, Revocation Change of Correspondence Address  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)  Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Repty Brief)  Proprietary Information  Status Letter  Other Enclosure(s) (please Identify below):  Fax Cover Sheet
	Certified Copy of Priority Document(s)	Remarks
	Response to Missing Parts/ Incomplete Application	, .
	Response to Missing Parts under 37 CFR 1.52 or 1.53	
	SIGNA	ATURE OF APPLICANT, ATTORNEY, OR AGENT
Firm or Individ	Nancy R. Simon, Reg. No	2. 36,930
Signa	ture ancy K	· Smon
Date	November 12, 2004	

Date	November 12, 2004		
	CERTIFICATE OF TRANSMISSION/MAILIN	G	
I hereby certify th	net this correspondence is being facsimile transmitted to the United States Patent and Trademark (	Office, fax number November 12,	
Typed or pr	inted Narty R. Simon		
Signature	Manay K. Somoni	Date	November 12, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in Re Application of:	
JONATHAN LACEY	Attorney Docket: 10004238-1
Serial No.: <b>09/965,537</b>	Examiner: D. J. PETKOVSEK
Filed: SEPTEMBER 26, 2001	Group Art Unit: 2874
For: BROADCAST NETWORK USING ) MULTI-FIBER CABLE )	RECEIVED CENTRAL FAX CENTER
	NOV 1 2 2004

## **AMENDMENT**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the office action mailed March 1, 2004, please amend the aboveidentified application as follows. Please charge any fees necessary for prosecution of the present application to deposit account no. 50-1443.

	CERTIFICATE OF TRANSMISSION	\				
Ħ	37 C.F.R. 1.8					
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent an Trademark Office, fax hughber (703) 872-9306, on November 12, 2004.						
_	Manay K. Omor					
	Nancy R. Simon					